



AF 11646  
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<b>NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>	<b>ATTORNEY'S DOCKET NO.</b> X-12383N
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<b>SERIAL NO.</b> 09/928,198	<b>FILING DATE</b> August 10, 2001	<b>EXAMINER</b> R. DeBerry	<b>GROUP ART UNIT</b> 1646
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**IN RE APPLICATION OF**  
**Hoffmann, James A. and Lu, Jirong**

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**TO THE COMMISSIONER FOR PATENTS:**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 16, 2003 of the Primary Examiner finally rejecting Claim(s) 104-127.

( ) Notice of Appeal fee not required (fee paid in prior appeal of this application)

(X) Notice of Appeal fee \$320.00

( ) Applicant(s) petition(s) under 37 C.F.R. 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:

( ) One month (\$110.00)

( ) Two months (\$400.00)

( ) Three months (\$920.00)

Please charge the fees indicated in the amount \$320.00 to Deposit Account No. 05-0840.

The Commissioner is hereby authorized to charge any additional fees which may be required by this or any related paper, or credit any overpayment to Deposit Account No. 05-0840.

Two copies of this sheet are enclosed.

Paula K. Davis  
Paula K. Davis  
Agent for Applicants  
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ELI LILLY AND COMPANY  
Patent Division  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

May 16, 2003

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below:

ELI LILLY AND COMPANY

By James Ann Ottigrew Date May 16, 2003